

Elk Township Planning and Zoning Board Meeting

Regular Business Meeting

October 15, 2014

Minutes

Call to Order: Board Chair called the meeting to order at 7:39pm.

Open Public Meeting Act: read by Board Secretary

Roll Call:

Present: Matt Afflerbach, Jay Hughes, Dave McCreery, Eugene Shoultz, Mayor Spring, Jeanne White, Christine Yenner, James Rambo, Frank Goss

Also present: Dale Taylor, Interim Board Solicitor, Leah Bruder of Bach Associates, Board Planner, James Spratt of Federici & Akin, Board Engineer

Absent: Bill Carter, Ed McKeever

Flag Salute, led by Chairperson

Announcements:

- Notice to Public and Applicants: Board policy is no new business will commence after 10:30 pm and all testimony will stop at 11:00 pm, except for individuals wishing to speak during the general public session. *An individual's comment will be limited in time to five (5) minutes during these general public comment sessions in order to give as many members of the public as are present, time to speak.*

General Business:

- **Approval of Minutes, August 20, 2014**
Mr. Hughes moved to approve the minutes of August 20, 2014, Seconded by Mrs. White.

Roll Call:

Voting in favor: Afflerbach, Hughes, McCreery, Spring, White, Goss

Against: **Abstain:** **6-0-0**

- **Approval of Minutes, September 17, 2014**
Mr. Shoultz moved to approve the minutes of September 17, 2014, Seconded by Mayor Spring.

Roll Call:

Voting in favor: Hughes, Shoultz, White, Goss

Against: **Abstain:** **4-0-0**

- **Resolution(s):**
2014-13 - resolution approving minor site plan and variance for conditional use on property identified as block 29 lot 24 located on Richwood-Aura Road to applicant, Aura Development Group, LLC

Mr. Shoultz moved to adopt resolution 2014-13, Seconded by Mr. Hughes.

Roll Call:

In favor: Hughes, Shoultz, White, Goss

Against: None **Abstain:** None **4-0-0`**

2014-14 - resolution of the Elk Township Combined Planning/Zoning Board authorizing Dale T. Taylor, Esquire to provide professional services as interim solicitor for the October 15, 2014 meeting.

Mr. Shoultz moved to adopt resolution 2014-14, Seconded by Mr. Hughes.

Roll Call:

In favor: Afflerbach, Hughes, McCreery, Shoultz, Spring, White, Yenner, Rambo, Goss

Against: None Abstain: None 9-0-0`

➤ **Old Business:** None

➤ **New Business:**

- 1) **Completeness Hearing , Application #SP-14-03**, Minor Site Plan for two ground solar arrays (larger than 600 sq ft) block 39, lot 10, to applicant Michael Boone

The following individuals were sworn in by Board's interim attorney, Dale Taylor:

Michael Boone, applicant, 894 Hardingville Rd., Monroeville, NJ

Joseph Idacavage, fact witness, Accredited Solar, 237 Grand Avenue, Blackwood, NJ

Mr. Boone provided the following brief overview of his project. He wishes to install solar ground arrays on his property for the use of his home to lower his energy costs.

Mrs. Bruder referred to her letter of August 25, 2014. Mrs. Bruder explained the applicant is required to come before the board because the proposed ground mounted solar array is in excess of 600 sq ft. (1232 sq ft is proposed). The use is permitted but requires a site plan for the board to review when it's over the 600 sq ft. The minor site plan checklist is geared toward larger projects therefore most of the waivers requested by the applicant, are recommended.

Mrs. Bruder reviewed the checklist items where additional information was requested. These included the following:

Item #36- requirement to provide a copy of any protective covenants, easements, or restrictions of record and the title policy.

Mr. Boone testified he does not have the title policy but did not believe there were any restrictions. The Board Solicitor informed Mr. Boone that a condition of any approval would be that in the event of any future disclosure of any impediment upon the property, to the extent that had the board known at the time of hearing the application they might have acted differently, then the matter would be remanded back to the Board for a further hearing and possible Board action. *The applicant agreed.*

Item #38 submission of site photographs taken from opposite side of the street.
Applicant has complied.

Item # 73 LOI (Letter of Interpretation) from NJDEP or statement from a qualified professional.
Applicant has complied (A Statement was submitted by his engineer).

Items # 55& 57 relating to grading - applicant testified that no grading would be required.

All the other waivers outlined in her letter were recommended.

Board Engineer, had no other completeness items. Mr. Spratt mentioned the plan does need to be revised to include name & address of applicant/owner, signature block for PZ Chairperson & Secretary and signature space for applicant/owner. The applicant needs to sign plan. *Applicant agrees.*

Mayor Spring moved to grant the waivers requested by the applicant (items: 29,33,36, 47, 49, 50,53,55, 57, 58, 59, 66, 67, 68, 69, 70, 71, 72, 75, 77,80,81 & 83 and to deem the application "complete." Seconded by Ms. Yenner.

Roll Call:

Voting in favor: Afflerbach, Hughes, McCreery, Shoultz, Spring, White, Yenner, Rambo, Goss

Against: Abstain: 9-0-0

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2) Public Hearing , Application #SP-14-03, Minor Site Plan for two ground solar arrays block 39, lot 10, to applicant Michael Boone

Chairwoman White confirmed with the Board Secretary that public notice had been completed and the Board had jurisdiction to proceed.

Mr. Idacavage gave a brief overview of the project. He will install two arrays to be located on the right side of Mr. Boone's driveway (Mr. Boone's lot is over 5 acres). No trees or vegetation will be removed and no grading is required. The installation will take approximately two and a half weeks. The solar arrays will be elevated from the ground so the front of the panels would be 2 feet off the ground, the rear panels would be 7 feet off the ground (there will be grass under the arrays). This angle will provide the proper reception of the solar heat to be generated for electricity for the applicant's home. The applicant agreed to amend the site plan to show the solar panel connections and lines from the solar panel unit to other apparatus and/or to Mr. Boone's house. No fence is proposed and is not required by ordinance. Spec sheets for the panels will be provided to the board once the design is finalized and will be part of the construction permitting process. Board secretary will forward to Board Engineer and planner. Applicant agrees to revise the site pan to show the location of the proposed substation inverter or transformer. The panels are not hot to the touch. Mr. Idacavage also testified as to the means and method by which electrical energy would be transmitted through the solar collection system to the electrical inverter or transformer. The utility company will not permit a system to generate more than what the house can use.

Mrs. Bruder asked that a condition of approval include that should the system not be utilized for 12 continuous months, that the system would be removed at the owner's expense. *The applicant agreed.*

Mr. Spratt referred to the technical review portion of his letter dated August 27, 2014.

Item #1 – revise title block to Minor Site Plan
Applicant agreed.

Item #2 recommended Mr. Clancy add notations to plan referring to the survey.
Applicant agreed.

Item #3- zoning table. Needs to be revised to RE zoning
Applicant agreed.

Item #4 – revise plan to include appropriate details of proposed solar energy facilities (denoting dimensions & height)
Applicant agreed. Applicant will provide Spec sheets to be distributed to Board Engineer.

Item #6 - Gloucester County Planning Board approval or waiver is required.
Applicant agreed.

Mayor Spring moved to open to the public, seconded by Mr. Shultz.
With all members in favor, ***the motion was carried.***

With no comment from the public, ***Mr. Shultz moved to close to the public, seconded by Ms. Yenner.*** With all members in favor, ***the motion was carried.***

Mr. Afflerbach moved to grant minor site plan approval condition upon the items outlined in the board's professionals' review letters, the applicant's testimony and all required outside agency approvals. Seconded by Mayor Spring.

Voting in favor: Afflerbach, Hughes, McCreery, Shultz, Spring, White, Yenner, Rambo, Goss
Against: Abstain: 9-0-0

- **General Public Portion**

Ms. Yenner moved to open the general public portion, seconded by Mayor Spring. With all members in favor, the motion was carried.

With no comment from the public, *Mr. Shoultz moved to close the general public portion, seconded by Mr. Hughes. With all members in favor, the motion was carried.*

- **Correspondence:**

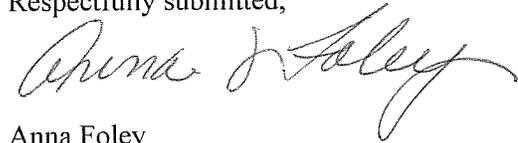
Master Plan reexamination - Mrs. Bruder is in the process of preparing the re-exam. At the present time, there are no agenda items for the Board's November 19th meeting. Some board members and board professionals will be attending the league of municipalities that evening, therefore rather than cancel the meeting, the Board unanimously agreed to reschedule the meeting to *November 12, 2014 at 7pm.*

Adjournment:

Mr. Shoultz moved to adjourn, Seconded by Mrs. White. With all members in favor, the motion was carried.

Adjournment time: 8:17pm

Respectfully submitted,



Anna Foley
Board Secretary